

10-04-05

IN 1646 \$

PATENT

Practitioner's Docket No. 2605/101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Toshio Miyata

Application No.: 10/018,311
Filed: April 28, 2000
For: MEG-3 PROTEIN

Group No.: 1646
Examiner: O'Hara, E.

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION AND FEE FOR EXTENSION OF TIME
TO MAINTAIN PARENT CASE THAT IS TO BE ABANDONED
WHEN FILING NEW APPLICATION CLAIMING ITS BENEFIT

1. This is a petition under 37 C.F.R. section 1.136(a) for an extension of time to file a Appeal Brief since the March 4, 2005 filing of a Notice of Appeal.
2. Please abandon this application conditioned upon the granting of the petition and the granting of a filing date to the continuing application, so as to make the continuing application copending with this application. (*Notice of May 13, 1983, 1031 O.G. 11-12*).
3. Applicant is other than a small entity.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is *mandatory*;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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[x] deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

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37 C.F.R. § 1.10*

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Signature

Date: October 3, 2005

10/06/2005 BABRAHA1 00000032 10018311

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2160.00 OP

Robert A. Hess

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

4. Extension requested

The proceedings herein are for a patent application and the provisions of 37 C.F.R. section 1.136 apply.

Applicant petitions for an extension of five months time under 37 C.F.R. section 1.136(a) (fees: 37 C.F.R. section 1.17(a)(1)-(5)) for five months:

Fee: \$2,160.00

If an additional extension of time is required, please consider this a petition therefor.

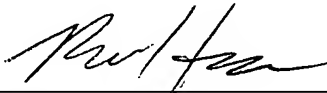
5. Fee Payment

Attached is a check in the sum of \$2,160.00.

6. Fee Deficiency

The Office is hereby authorized to charge, in the manner shown above, the following additional fees that may be required by this paper and during the entire pendency of this application.

Date: October 3, 2005



Robert A. Hess
Registration No. 57,411
Bromberg & Sunstein LLP
125 Summer Street
Boston, MA 02110-1618
US
617-443-9292
Customer No. 02101

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